

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA (Erie)

IN RE:

JACK J PETTIS AND TIFFANY A PETTIS
Debtors

Case No. 23-10005-CMB

Chapter 13

Freedom Mortgage Corporation,

Movant,

Related to Doc. No. 80

vs.

Jack J Pettis and Tiffany A Pettis,

Debtors,

And

Ronda J Winnecour,

Respondent

STIPULATION AND CONSENT ORDER RESOLVING MOVANT'S RESPONSE TO THE
TRUSTEE'S INTERIM NOTICE OF CURE OF ARREARS

Freedom Mortgage Corporation ("**Movant**"), by and through its undersigned counsel, Brock & Scott, PLLC, Ronda J. Winnecour, ("**Respondent**"), and with the consent of the Debtors, JACK J PETTIS and TIFFANY A PETTIS, by and through counsel Daniel Foster (the "**Debtors**" and together with Movant and Respondents, the "**Parties**"), hereby file this Stipulation and Consent Order resolving Movant's Response to the Trustee's Interim Notice of Cure of Arrears, and stipulate as follows:

1. Debtors are the owners of real property located at 405 W GORE RD, Erie, PA 16509 ("**Property**") and Movant is the holder of a mortgage ("**Mortgage**") on Debtors' Property. The Mortgage was executed by the Debtors on July 28, 2021 and recorded on August 10, 2021.

2. On March 15, 2023, Movant filed Claim No. 24 for the Mortgage and an Amended Proof of Claim on July 11, 2023. The Amended Claim was filed to include the required escrow analysis and added \$1,211,21 of escrow shortage to the Claim.

3. Prior to Movant's Amended Claim, on April 25, 2023 the Trustee paid the full amount of
arrears to Movant pursuant to the Claim filed on March 15, 2023.

4. The Trustee then filed the Interim Notice of Cure of Arrears, Dkt. No. 64, and Movant filed a disagree response, Dkt. No. 67, noting Movant's intent to file an amended claim to include the escrow analysis and the escrow shortage.

5. Movant filed a Second Amended Claim on October 4, 2023, at the request of the Trustee
to remove credit for the April 25, 2023 payment by the Trustee thereby listing the full amount of arrears owed to Movant.

6. Following status conferences held on July 13, 2023, August 24, 2023 and October 5, 2023, the Parties have reached an agreement.

AND NOW, based upon the foregoing, and with the Parties intending to be legally bound, it is hereby ORDERED, ADJUDGED, and DECREED that:

a. The Second Amended Proof of Claim filed on October 4, 2023, Claim No. 24-3, listing arrears in the amount of \$3,032.73 shall govern and be paid in full by the Trustee.

b. The terms of this Stipulation and Consent Order may not be modified, revised, altered
or changed to any extent, without the express written consent of the parties.

c. This court shall retain jurisdiction over this matter to enforce the terms of this Stipulation and Consent Order.

SO ORDERED:


Carlota M. Bohm, JUDGE dmr

U.S. BANKRUPTCY COURT

CONSENTED TO BY:

/s/ Daniel P Foster

Daniel P Foster
1210 Park Avenue
Meadville, PA 16335
Email: dan@mrdebtbuster.com
Counsel for Debtor

Dated: 11/10/2023

/s/ Mario Hanyon

Mario Hanyon
(Bar No. 203993)
Attorney for Movant
BROCK & SCOTT, PLLC
3825 Forrestgate Dr.
Winston-Salem, NC 27103
Telephone: 844-856-6646
Facsimile: 704-369-0760
E-Mail: PABKR@brockandscott.com
Counsel for Freedom Mortgage Corporation
Dated: 11/10/2023

/s/ Owen Katz

Ronda J. Winnecour
600 Grant Street
Suite 3250, USX Tower
Pittsburgh, PA 15219
Chapter 13 Trustee
Dated: 11/10/2023

FILED
11/16/23 8:26 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Jack J. Pettis
Tiffany A. Pettis
Debtors

Case No. 23-10005-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Nov 16, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 18, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Jack J. Pettis, Tiffany A. Pettis, 405 W. Gore Road, Erie, PA 16509-2306

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 18, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 16, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Freedom Mortgage Corporation bnicholas@kmlawgroup.com
Daniel P. Foster	on behalf of Debtor Jack J. Pettis dan@mrdebtbuster.com katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Joint Debtor Tiffany A. Pettis dan@mrdebtbuster.com katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel Philip Jones	on behalf of Creditor New Day Financial LLC djones@sterneisenberg.com, bkecf@sterneisenberg.com
Mario J. Hanyon	on behalf of Creditor Freedom Mortgage Corporation wbecf@brockandscott.com mario.hanyon@brockandscott.com

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User: auto

Page 2 of 2

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Total Noticed: 1

Michael S. Jan Janin

on behalf of Creditor Erie Federal Credit Union mjanjanin@quinnfirm.com
slowe@quinnfirm.com;mtrayer@quinnfirm.com;gbeeko@quinnfirm.com;quinnbankruptcy2022@gmail.com

Nicholas R. Pagliari

on behalf of Creditor Tendto Credit Union npagliari@mijb.com sburick@mijb.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

Steven K. Eisenberg

on behalf of Creditor New Day Financial LLC seisenberg@sterneisenberg.com, bkecf@sterneisenberg.com

TOTAL: 10